

815 KAR 4:060. Requirements for approval of continuing education courses and providers.

RELATES TO: KRS 198B.030, 198B.4009, 198B.4011, 198B.4013, 198B.4023, 198B.4025

STATUTORY AUTHORITY: 198B.030, 198B.4009, 198B.4023(7), 198B.4025

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.4009(3) authorizes the Department of Housing, Buildings and Construction to promulgate administrative regulations necessary to implement the provisions of KRS 198B.400 to 198B.540. KRS 198B.4025 authorizes the department to promulgate an administrative regulation to establish requirements for approval of continuing education programs. This administrative regulation establishes the requirements for approval of continuing education programs in addition to those approved statutorily.

Section 1. Requirements for Continuing Educational Provider Approval. (1) For a Continuing Education Provider to be approved by the department, the applicant shall either be a:

- (a) Trade Association with affiliation to the Elevator Trade;
- (b) Trade school;
- (c) College;
- (d) Technical school;
- (e) Business dedicated solely to providing continuing education and that provides at least one (1) course in each of the congressional districts quarterly;
- (f) Elevator company that employs full-time training personnel to conduct continuing education programs providing continuing education for elevator mechanics only; or
- (g) Elevator manufacturer or distributor that employs full time training personnel to conduct continuing education programs providing continuing education for elevator mechanics only.

(2)(a) Each continuing education course provider shall register with the department as required by subsection (3) of this section before submitting course materials for department approval.

(b) Registration shall be valid for two (2) years from the date of issuance.

(3) Course providers shall register on Form EV-5, Application for Approval as a Continuing Education Course Provider for Elevator Licensure and shall include the following:

- (a) Company name;
- (b) Contact person;
- (c) Mailing address;
- (d) Email address;
- (e) Telephone number; and
- (f) Fax number.

(4) The department shall maintain a list of approved continuing education course providers.

(5) Each course provider shall report to the department a change to the information submitted in the initial application within thirty (30) days after the change takes effect.

(6) For each course approved, the provider shall distribute a questionnaire to each applicant in attendance for the purpose of rating the course.

Section 2. Continuing Education Course Approval. (1) A separate application for approval shall be submitted to the department on Form EV-6, Application for Continuing Education Course for Elevator Licensure, for each course offered by the course provider.

(2)(a) A Form EV-6, Application for Continuing Education Course for Elevator Licensure, shall be submitted only by an approved provider registered with the department.

(b) A form EV-6, Application for Continuing Education Course for Elevator Licensure, shall

be submitted at least sixty (60) days prior to the course's offering.

(3) A continuing education course shall provide instruction in at least one (1) of the subject areas specified in 815 KAR 4:050, Section 1(2)(a) through (d) and Section 2(2)(a) through (c).

(4) The course application shall include the following:

- (a) Name of the course;
- (b) Name and registration number of the provider;
- (c) A course syllabus;
- (d) Name of the instructor or presenter along with his or her qualifications;
- (e) The amount of actual time needed to present the course;
- (f) The objectives of the course; and
- (g) A statement of the practicality of the course to the elevator trade.

(5) Content changes made to the course shall require a subsequent submission to the department for review and approval or denial.

(6) Course approval shall be valid for two (2) years from the date of department approval.

(7)(a) The department shall issue a course number for each approved course.

(b) The course number and the provider's number shall appear on all advertisements and certificates for the course.

(8) A provider shall submit to the department a quarterly schedule including dates and locations of courses by January 1, April 1, July 1, and October 1 annually.

(9) The department shall receive notification of scheduling changes at least ten (10) working days prior to the originally scheduled course date by fax or e-mail to the Elevator Section.

(10) Cancellations.

(a) The provider shall give notice of cancellation no less than five (5) working days prior to scheduled classes unless the governor declares a state of emergency or other conditions exist that would preclude a five (5) day notification of cancellation.

(b) If a scheduled class is cancelled, the registrant shall have the option to attend a re-scheduled class or receive a full refund for the cancelled class from the provider.

(c) A registrant who notifies a provider of registration cancellation prior to five (5) working days of a scheduled course may choose either a full refund or to attend a subsequent course.

(d) A provider shall not cancel a course with ten (10) or more registrants, unless it is the result of an emergency.

Section 3. Continuing Education Course Records. (1) Each registered course provider shall establish and maintain for at least three (3) years the following records for each approved course:

- (a) Certificates of completion as provided in subsection (2) of this section;
- (b) An attendance sign-in and sign-out sheet; and
- (c) A course syllabus.

(2) Certificates of completion.

(a) Each registered course provider shall issue a certificate of completion for each participant who enrolled and completed an approved continuing education course.

(b) A certificate of completion shall contain the following information about the individual participant:

- 1. Name;
- 2. Address;
- 3. License number;
- 4. Date of attendance; and
- 5. Course completed.

(c) One (1) copy of the certificate of completion shall be:

1. Sent to the department electronically;
2. Retained on file by the provider in compliance with subsection (1) of this section of this section; and
3. Given to the participant upon completion of the course.

Section 4. Course Audits. (1) Records requested in writing by the department shall be delivered to the department within ten (10) days of the requesting date.

(2) Representatives of the department shall not be prohibited from attending an approved continuing education course to ensure that:

- (a) The course meets the stated objectives; and
- (b) Applicable requirements are being met.

Section 5. Disciplinary Action. Provider approval shall be revoked if the provider:

- (1) Obtains, or attempts to obtain, registration or course approval through fraud, false statements, or misrepresentation;
- (2) Does not provide complete and accurate information in either the initial registration or in notification of changes to the information;
- (3) Advertises a course as being approved by the department prior to receiving approval; or
- (4) Fails to comply with the requirements of this administrative regulation.

Section 6. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "Application for Approval as a Continuing Education Course Provider for Elevator Licensure", Form EV-5, October 2011; and
- (b) "Application for Continuing Education Course for Elevator Licensure", Form EV-6, October 2011.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Division of Building Codes Enforcement, Elevator Section, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5405, Monday through Friday, 8 a.m. to 4:30 p.m. (38 Ky.R. 442; 919; eff. 11-30-11; 39 Ky.R. 627; eff. 1-4-13.)